

Attorney's Docket No.: 15525-006001/220407-2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED
CENTRAL FAX CENTER

Applicant : Dipanshu Sharma Art Unit: 2141
 Serial No.: 10/040,525 Examiner: Paul H. Kang
 Filed : December 28, 2001
 Title : INFORMATION RETRIEVAL SYSTEM INCLUDING VOICE BROWSER
 AND DATA CONVERSION SERVER

AUG 30 2005

Mail Stop AF
 Commissioner For Patents
 P.O. Box 1450
 Alexandria, Va 22313-1450

RESPONSE TO OFFICE ACTION OF JUNE 30, 2005

The following is provided in response to the Office action mailed June 30, 2005. Reconsideration and allowance of the above-referenced application are respectfully requested.

It is respectfully requested that the "provisional" double patenting rejection be withdrawn because such rejection is the only rejection remaining after the current amendment.

Claims 1-3, 9-10, 15 and 20-21 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Kredo in view of Keswa. Claims 4-8, 11-14, 16-19 and 22-23 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Kredo in view of Keswa and Giangarra. These rejections are respectfully traversed.

Enclosed herewith is a declaration under 37 C.F.R. § 1.131 of Mr. Dipanshu Sharma that demonstrates that he conceived of and proceeded to diligently reduce to practice the invention claimed in the above-referenced patent application prior to both

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

August 30, 2005
 Date of Transmission

Veronica Whalen
 Signature

Veronica Whalen
 Typed or Printed Name of Person Signing
 Certificate

Attorney's Docket No.: 15525-006001/220407-2001

July 2, 2001, the filing date of Kredo and August 9, 2001, the filing date of Keswa.

It is respectfully submitted that the declaration in combination with the invention disclosure, which indicates a date of conception no later than January 18, 2001, provide a *prima facie* showing that the Applicants were in possession of the claimed subject matter prior to the filing dates of both Kredo and Keswa.

Moreover, after conception, and on or about February 2001, Applicant worked diligently with the law firm of Cooley Godward LLP to prepare a patent application that described the conceived invention. After this diligent preparation work, the above-referenced application was filed on December 28, 2001.

It is respectfully submitted that both Kredo and Keswa are no longer effective references under 35 USC 103(a). Therefore, the rejections under 35 USC § 103 should be withdrawn and all claims should be allowable.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. Please apply any charges or credits to Deposit Account No. 06-1050.

08/30/05 TUE 17:59 FAX 8586785099

FISH & RICHARDSON P.C.

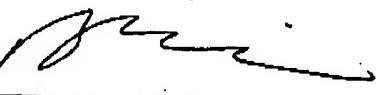
005

Attorney's Docket No.: 15525-006001/220407-2001

Respectfully submitted,

Date:

August 30, 2005


Scott C. Harris
Reg. No. 32,030

Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
(858) 678-5070 telephone
(858) 678-5099 facsimile

/BY
BING AI
REG. NO. 43,312

10536851.doc